IN THE HIGH COURT OF JUDICATURE AT BOMBAY.

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO. 131 OF 1999.

The Pune Zilla Mazdoor Sangh..... ..... Petitioner.

V/s

Union of India & Ors..... ..... Respondents.

Mr.D.V. Gangal for Mr.Sandeep V. Marne for the petitioner.

Mr.D.A. Dube, Adv. for Union of India.

CORAM: V.G. PALSHIKAR
AND
SMT.NISHITA MHATRE, JJ.

3-2-2005

Oral Order: (Per Palshikar, J.)

By this petition the petitioner has challenged the order passed by the Government refusing to make reference under the Industrial Disputes Act.

2. The position in law is very clear and settled. The Government has no right to adjudicate upon the question which is sought to be referred. It is for the Industrial Court or the Labour Court as the case may be to adjudicate upon such issue. Hence Rule is made absolute. Respondent-State is directed to make appropriate reference within a period of three months from the receipt of this order.